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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,534	05/29/2001	Terho Kaikuranta	017.40106X00	4327

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EXAMINER

GESESSE, TILAHUN

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/865,534	<b>Applicant(s)</b> KAIKURANTA ET AL.	
	<b>Examiner</b> Tilahun B Gesesse	<b>Art Unit</b> 2684	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 5/3/05.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 1-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 27-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 27-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaschke (US patent no. 5,542,016) in view of Lustila et al US patent publication No. 2001/0018332 "Lustila"

3. Regarding claims 27, Kaschke discloses a decorative to a wireless communication device (see figures 9-12 of Kaschke) including a printed circuit board (see figure 6, a portable device with printed circuit board) and an associated light source (203 and 1001) mounted in an interior of the wireless device (see figures 9-12 in view of figure 6 of Kaschke), comprising: an inner (see figure 611 and 613 covered by decorative fiber optic) and an optical fiber incorporated in a pattern with the decorative cover (see figures 9-12 for the front part of the portable device of figure 6) including an input end (203 and 1001 of figures 9-12) for receiving light from the light source when the light source is activated and the decorative to the wireless communication device (column 6, lines 5-28 and column 6, line 49-column 5, line 27 and figures 9-12) and a side surface which transmits the light there through along a Length of the fiber when the light is received by the input end so as to cause the light transmitted along the Length of

the fiber to be visible when viewing the outer surface ( column 6, lines 5-28 and column 6, line 49-column 5, line 27 and figures 9-12).

Kaschke an optical fiber light emitting apparatus (200) is beneficial for illuminating keypads (613) and displays (611) in electronic devices (600) such as portable radio telephones, having limited space available (abstract), but differs in teaching as part of outer decorative cover for attachment to wireless communication device. However, Lustila teaches a communication terminal handset having a translucent outer casing and a light source arranged for illumination of a substantial area of the case (see abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time of invention was made to attach a decorative cover , as evidenced by Lustila, in order to attract the user and easily visibility of the keypad for the user.

Regarding claim 28, it is apparatus claim, which corresponds to apparatus claim 27 above. It is analyzed and rejected for the same reason as set forth in the claim.

Regarding claim 29, Kaschke discloses along the Length of the fiber to be visible when viewing the outer surface (abstract).

Claims 30,32, Kaschke discloses a decorative to a wireless communication device (see figures 9-12 of Kaschke) including a printed circuit board (see figure 6, a portable device with printed circuit board) and an associated light source (203 and 1001) mounted in an interior of the wireless device (see figures 9-12 in view of figure 6 of Kaschke), comprising: an inner (see figure 611 and 613 covered by decorative fiber optic) and an optical fiber incorporated in a pattern with the decorative cover (see

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figures 9-12 for the front part of the portable device of figure 6) including an input end (203 and 1001 of figures 9-12) for receiving light from the light source when the light source is activated and the decorative to the wireless communication device ( column 6, lines 5-28 and column 6, line 49-column 5, line 27 and figures 9-12) and a side surface which transmits the light there through along a Length of the fiber when the light is received by the input end so as to cause the light transmitted along the Length of the fiber to be visible when viewing the outer surface ( column 6, lines 5-28 and column 6, line 49-column 5, line 27 and figures 9-12).

Kaschke an optical fiber light emitting apparatus (200) is beneficial for illuminating keypads (613) and displays (611) in electronic devices (600) such as portable radio telephones, having limited space available (abstract), but differs in teaching as part of outer decorative cover for attachment to wireless communication device. However, Lustila teaches a communication terminal handset having a translucent outer casing and a light source arranged for illumination of a substantial area of the case (see abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time of invention was made to attach a decorative cover , as evidenced by Lustila, in order to attract the user and easily visibility of the keypad for the user.

Regarding claim 31, Kaschke discloses the optical fiber is adhered to the inner surface of the outer decorative cover (see figures 9-12).

Regarding claim 33, Kaschke discloses the optical fiber comprises an optical fiber thread (see figures 9-12 in view of figure 6).

Regarding claim 34, Kaschke discloses the optical fiber comprises an optical fiber panel (see figure 9-12 and column 6, lines 5-28 and column 6, line 49-column 5, line 27).

Regarding claims 35-36, Kaschke discloses Kaschke an optical fiber light emitting apparatus (200) is beneficial for illuminating keypads (613) and displays (611) in electronic devices (600) such as portable radio telephones, having limited space available (abstract) and light emitting diode (column 3, lines 10-23), but differs in teaching as part of outer decorative cover for attachment to wireless communication device. However, Lustila teaches a communication terminal handset having a translucent outer casing and a light source arranged for illumination of a substantial area of the case (see abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time of invention was made to attach a decorative cover, as evidenced by Lustila, in order to attract the user and easily visibility of the keypad for the user.

Regarding claim 37, Kaschke discloses the light source comprises a light emitting diode (column 3, lines 10-23)

Regarding claim 38, Kaschke discloses the light source is positioned on the outer decorative cover (see figures 9-12 in view of figure 6 and column 6, lines 5-28 and column 6, line 49-column 5, line 27)

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882.

The Central FAX Number will change to 571-273-8300. This new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus.

CENTRALIZED DELIVERY POLICY: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11/23/05  
*Tilahun Geesse*  
**TILAHUN GESESSE**  
**PRIMARY EXAMINER**